

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450

Mail Date: 04/21/2010

Alexandria, Virginia 22313-1450 www.uspto.gov

ELI LILLY AND COMPANY ATTN: Robert D. Titus Patent Division, P.O. Box 6288

Indianapolis, IN 46206-6288

: Rosanne Bonjouklian Applicant : DECISION ON REQUEST FOR

Patent Number: 7582652 : RECALCULATION of PATENT Issue Date : 09/01/2009 : TERM ADJUSTMENT IN VIEW

**Appliction No** : 10/597,283 : OF WYETH AND NOTICE OF INTENT TO : 07/19/2006 Filed : ISSUE CERTIFICATE OF CORRECTION

The Request for Recalculation is GRANTED to the extent indicated.

The patent term adjustment has been determined to be 603 days. The USPTO will suasponte issue a certificate of correction reflecting the amount of PTA days determined by the recalculation.

Prior to the issuance of the certificate of correction, the USPTO will afford patentee an opportunity to be heard and request reconsideration. Accordingly, patentee has one month or thirty (30) days, whichever is longer, to file a request for reconsideration of this patent term adjustment calculation. See 35 U.S.C. 154(b)(3)(B)(ii) and 37 CFR 1.322(a)(4). No extensions of time will be granted under 37 CFR 1.136.

Patentee should use document code PET.OP if electronically filing a request for reconsideration of this patent term adjustment calculation. The patentee must also include the information required by 37 CFR 1.705(b)(2) and the fee required by 37 CFR 1.18(e). If patentee does not file a timely request for reconsideration of this patent term adjustment calculation including the information required by 37 CFR 1.705(b)(2) and the fee required by 37 CFR 1.18(e), the USPTO will issue a certificate of correction reflecting the PTA determination noted above.

Patentee should be aware that in order to preserve the right to review in the United States District Court for the District of Columbia of the USPTO patent term adjustment determination, patentee must ensure that he or she also take the steps required under 35 U.S.C. 154(b)(4)(A) in a timely manner. Nothing in the request for recalculation should be construed as providing an alternative time frame for commencing a civil action under 35 U.S.C. 154(b)(4)(A).

Any questions concerning this decision should be directed to the Office of Patent Legal Administration at 571-272-7702.